

**THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

| | | |
|--------------------------|---|-------------------|
| TRISHA HOWELL DEVENPORT, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. 08 C 871 |
| |) | |
| SAM'S CLUB WEST |) | |
| and/or SAM'S CLUB, |) | |
| |) | |
| Defendant. |) | |

REPORT OF PARTIES PLANNING MEETING

1. Pursuant to Federal Rule of Civil Procedure 26(f), a meeting was held on June 24, 2008 at Defendant's counsel's office and was attended by John C. Ireland of The Law Office of John C. Ireland for Plaintiff, and Douglas M. Oldham of Barnes & Thornburg for Defendant.

2. Nature and Scope of the Case. The nature and scope of the case is a single plaintiff claim of employment discrimination based upon sex and pregnancy discrimination, FMLA interference and retaliation, and state common law claims, such as breach of contract and intentional infliction of emotional distress.

3. Pre-Discovery Disclosures. The parties will exchange by September 1, 2008 the information required by Federal Rule of Civil Procedure 26(a)(1).

4. Discovery Plan. The parties jointly propose to the court the following discovery plan:

- All discovery with the exception of experts for the damages phase shall be commenced in time to be completed by March 1, 2009. The parties request that the Court set a status for November 12, 2008 at 9:00 AM to determine the status of discovery.
- Maximum of 25 Interrogatories to each party by any other party.

- Maximum number of 25 requests for admission by each party to any other party.
- Maximum of 10 depositions by Plaintiff and 10 by Defendant. Each deposition is limited to maximum of seven hours unless extended by agreement of the parties.
- Parties to disclose experts on issues for which they bear the burden of proof for the liability phase no later than April 30, 2009, with depositions to be taken by May 30, 2009; rebuttal experts to be disclosed by June 30, 2009, with depositions to be taken by July 31, 2009.
- Parties will confer with the Court and set deadlines for expert witnesses for the damages phase after the Court rules on any potentially dispositive motions when it is determined whether such experts will be necessary.

4. Other Items.

- The parties do not request a conference with the Court before entry of the scheduling order.
- The parties will request a specific date for a pretrial conference when it is determined whether such a conference will be necessary.
- Plaintiff and Defendant should be allowed until October 20, 2008 to join additional parties and until November 20, 2008 to amend the pleadings.
- All potentially dispositive motions should be filed by April 9, 2009.
- Settlement is unlikely.
- The parties request that the Court set a status following its ruling on any potentially dispositive motions to determine a trial date, if applicable. At this time, a trial is expected to take approximately three days.

DATE: August 8, 2008

s/ Norma W. Zeitler

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